

REMARKS/ARGUMENTS

Claims 1-5, 7, 10-15, 17, 20-24 remain in the application for further prosecution. Claims 1, 7, 12, 17, 22 and 23 have been amended. Claim 24 has been added. Claims 6, 8-9, 16 and 18-19 have been cancelled.

Record of Substance of Interview

The Applicants note with appreciation the interview with Examiner Nguyen on May 1, 2007. During the Interview, proposed amendments to claim 1 and claim 23 were discussed in relation to Hughs-Baird. Agreement was not reached over proposed amendments to claim 1 in relation to Hughs-Baird. Pursuant to the discussions in the interview, Applicants have amended independent claim 23 to clarify the invention. The Examiner acknowledged that the proposed amendment to claim 23 was sufficient to allow the claim over Hughs-Baird and the other art of record. Applicant agrees with the substance of the Summary of Interview dated May 3, 2007.

Claim Rejections - 35 U.S.C. § 112

Claims 1-22 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 2-11 and 13-21 are rejected as being dependent on the rejected base claim. Applicant has amended the claims to use the term "display image" consistently. Applicant has amended claims 1, 12 and 22 to use the term "display image" consistently.

Claim Rejections - 35 U.S.C. § 102

Claims 1-7, 10, 12-17, 20 and 22 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 6,439,995 (Hughs-Baird et al.).

Claim Rejections - 35 U.S.C. § 103

Claims 8-9, 18-19 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,439,995 (Hughs-Baird et al), in view of U.S. Patent No. 6,695,695 (Angel).

Claims 11 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,439,995 (Hughs-Baird et al).

The present claims relate generally to a method or system of conducting a selection type wagering game involving player selection of a plurality of selectable objects superimposed over a setting in a first display image. Indicia associated with the selected objects are revealed as a result of player selection. After completing the selection game a second display image distinct from the first display image is displayed. The second display image presents the selected objects and their associated indicia in a first group in a first region. The second display image also presents the unselected objects and their associated indicia in a second group in a second region separated from the first region. The first and second groups are segregated such that the objects in the respective first and second groups are not intermingled.

Thus, the first display image includes a particular background setting such as a picnic campground as shown in Figs. 5-6 and the objects are part of that setting i.e. a picnic basket, a tent, a thermos, etc. After the selection game is played, a second display image as shown in Fig. 7 is provided to segregate indicia of selected objects (top of the image) and indicia corresponding to unselected objects (bottom of the image). For the convenience of the player the separate reveal screen helps show the entire result of the game after the end of the game by segregating and displaying the items selected (with associated award values), the unselected items (with associated award values), and the total of the awards. Thus, the selected objects and associated indicia are displayed as an identifiable group and the unselected objects and associated indicia are presented as another identifiable group.

The Final Office Action has asserted that Hughs-Baird shows a first display (Fig. 1) with a distinct second display (Fig. 3) which results in selecting objects from the first display and

displaying the selected objects as revealed selections 68 in Fig. 3 but could also reveal the values the player could have chosen (Col. 7, ll. 16-19). Hughs-Baird discloses a grid type display that allows a player to choose different square for a bonus purposes. As different squares are selected, the appearance of the squares changes as between Fig. 1 and 3, but the basic grid shape stays the same and therefore any revealed indicia are not segregated and remain intermingled. Hughs-Baird in fact refers to the display 36 as the being the same element in both Fig. 1 and 3.

The Angel reference is a poker type video game having groups of cards in front of player seated around a table. The Final Office Action has cited Angel against the grouping of selected and unselected elements in different groups in claim 23. The Final Office Action has asserted that Fig. 8 of Angel discloses all the players revealing both selected cards and unselected cards. Thus, the Final Office Action asserts that Angel in combination with Hughs-Baird shows a second display grouping the selected and unselected elements. However, both Hughs-Baird and Angel show the same basic image in the displays and therefore the combination does not segregate the revealed indicia in the second display.

In order to further distinguish Hughs-Baird and Angel, claims 1, 11, and 22 have been amended to add the elements of “after completing a selecting game” displaying a second display image presenting the selected objects and associated indicia in a first region and the unselected objects and associated indicia in a second region separated from the second region. These claims have been further amended to require that “the first and second groups being segregated such that the objects in the respective first and second groups are not intermingled.” The amended claims are allowable because neither of the references discloses a second image that segregates the indicia in selected and unselected groups such that the objects are not intermingled. As explained above, the selected and unselected indicia in the final screen of Hughs-Baird remains

in the same location as during game play and thus the selected and unselected objects remain intermingled and the first and second groups are not segregated from each other. Similarly, since the cards in Angel remain in the same location, the selected and unselected objects (cards in each of the hands) remain intermingled. Claims 1, 11 and 22 are thus allowable over Hughs-Baird and Angel. The remaining claims depend from these claims and are similarly allowable.

Claim 23 has been amended to add the elements of “at least one of the indicia associated with the selected objects in the second display image being in a different location than the respective location of the selectable object associated with the indicia in the first display image” and “the location of at least one of the indicia associated with the unselected objects in the second display being in a different location than the location of the respective location of the selectable object associated with the indicia in the first display image.” The Examiner indicated that amended claim 23 would be allowable in the May 1, 2007 interview.

Applicant has added new claim 24 which includes the elements of a “second display image presenting the one or more indicia associated with the selected objects in a first group in a first region and one or more indicia associated with the unselected objects of the selectable objects in a second group in a second region distinct from the first region, the first and second groups being segregated such that the objects in the respective first and second groups are not intermingled.” Claim 24 is allowable for the same reasons stated above for claims 1, 11 and 22.

Conclusion

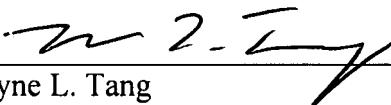
It is Applicant’s belief that all of the claims are now in condition for allowance and actions towards that effect is respectfully requested.

Application No. 10/786,509
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If there are any matters which may be resolved or clarified through a telephone interview,
the Examiner is respectfully requested to contact the undersigned attorney at the number
indicated.

Respectfully submitted,

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